

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

9

Harris

-v-

The City of New York, et al

U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

07-CV-11555

KMW

June 3, 2008

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

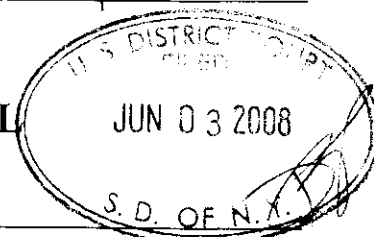
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 3RD Day of June, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Harris
-v-
The City of NY, et al

U.S.C.A. # _____

U.S.D.C. # 07-cv-11555

JUDGE: KMW

DATE: June 3, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered _____ Through _____, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
_____	_____
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 3rd Day of June In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By _____

Deputy Clerk

APPEAL, CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-11555-KMW
Internal Use Only

Harris v. The City of New York et al
Assigned to: Judge Kimba M. Wood
Demand: \$9,999,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/26/2007
Date Terminated: 04/22/2008
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner: Prison Condition
Jurisdiction: Federal Question

Date Filed	#	Docket Text
12/26/2007	1	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Anthony Harris.(mbe) (Entered: 01/09/2008)
12/26/2007	2	COMPLAINT against The City of New York, The State of New York, Gang Intelligence, Montanez, E. Castro, Warden. Document filed by Anthony Harris.(mbe) (Entered: 01/09/2008)
12/26/2007		Magistrate Judge Frank Maas is so designated. (mbe) (Entered: 01/09/2008)
12/26/2007	3	60 DAYS ORDER Plaintiff's request to proceed in forma pauperis is granted but, for the reasons set forth below, plaintiff is directed to submit an amended complaint within sixty (60) days of the date of this order. Should plaintiff decide to file an amended complaint, it must be submitted to this Court's Pro Se Office within sixty (60) days of the date of this order, be captioned "AMENDED COMPLAINT" and bear the same docket number as this order. Plaintiff is advised that his amended complaint will completely replace, not supplement, his original complaint. If plaintiff fails to comply with this order within the time allowed or show good cause why he cannot comply, the complaint will be dismissed. Once submitted, the amended complaint shall be reviewed for compliance with this order and substantive sufficiency and then, if proper, the case shall be reassigned to a district judge in accordance with the procedures of the Clerk's Office. The plaintiff is hereby directed to file an amended complaint...it must be submitted to this Court's Pro Se Office within sixty (60) days of the date of this order. No summons shall be issued at this time and all further proceedings shall be stayed for sixty (60) days or until plaintiff has complied with this order. If plaintiff fails...the complaint will be dismissed. Once submitted, the amended complaint shall be reviewed for compliance with this order and substantive sufficiency and then, if proper, the case shall be reassigned to a district judge in accordance with the procedures of the Clerk's Office. We certify pursuant to 28 U.S.C. 1915(a)...that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/26/2007) (mbe) (Entered: 01/09/2008)
02/14/2008	4	AMENDED COMPLAINT against The City of New York, The State of New York, Gang Intelligence, Montanez, E. Castro, Warden. Document filed by Anthony Harris.(jmi) (Entered: 02/25/2008)
04/22/2008	5	CLERK'S JUDGMENT that the complaint is dismissed; The Court certifies pursuant to 28 U.S.C 1915(a)(3) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 4/22/08) (ml) (Entered: 04/24/2008)
04/22/2008		Mailed notice of Right to Appeal to Pro Se Litigant(s): Anthony Harris. (ama) (Entered: 04/25/2008)
04/22/2008	6	ORDER OF DISMISSAL: According this pro se complaint the close and sympathetic reading to which it is entitled, plaintiff's allegations fail to state a claim upon which relief may be granted. The Complaint is therefore dismissed. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. So Ordered. (Signed by Judge Kimba M. Wood on 4/22/08) (js) (Entered: 04/28/2008)
04/22/2008		Received returned mail Mail was addressed to Anthony Harris at C.P.S.U., 18-18 Hazen Street, East Elmhurst, NY 11370 and was returned for the following reason(s): Returned To Sender. (ama) (Entered: 05/07/2008)
05/21/2008	7	MOTION for an order to alter or Amend Judgment Rule 59 to 60 relief Rule 52(b). Document filed by Anthony Harris.(pl) (Entered: 05/22/2008)
05/21/2008	8	NOTICE OF APPEAL from 6 Order of Dismissal. Document filed by Anthony Harris. Copies mailed to attorney(s) of record: Corporation Counsel. (tp) (Entered: 06/02/2008)
05/21/2008		Appeal Remark as to 8 Notice of Appeal filed by Anthony Harris. \$455.00 APPEAL FEE DUE. IFP REVOKED 4/22/08. (tp) Modified on 6/2/2008 (tp). (Entered: 06/02/2008)
06/02/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 8 Notice of Appeal. (tp) (Entered: 06/02/2008)
06/02/2008		Transmission of Notice of Appeal to the District Judge re: 8 Notice of Appeal. (tp) (Entered: 06/02/2008)